

Crl.O.P.No.10148 of 2025

SUNDER MOHAN, J.

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This matter is posted today under the caption 'For Being Mentioned' at the instance of the learned counsel appearing for the petitioners.

2. The learned counsel appearing for the petitioners submitted that on 04.04.2025, this Court had granted bail to petitioners herein in Crl.O.P.No.10148 of 2025. However, in the order, the altered sections of 191(2), 191(3), 296(b), 118(1), 109, 351(3) of BNS were omitted to be mentioned. Thus, he prayed for suitable corrections in the order dated 04.04.2025.

3. Considering the submissions made by the learned counsel for the petitioners, Registry is directed to issue order copy afresh forthwith, by correcting paragraph No.1 of the order dated 04.04.2025 as follows:

“This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 15.03.2025, seeking bail in Crime No.90 of 2025 registered for the offence under Sections 296(b), 118(1), 351(3) @ 191(2), 191(3), 296(b), 118(1), 109, 351(3) of BNS, 2023”.

07.04.2025

Issue order copy by 07.04.2025.

Upload order copy forthwith

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SUNDER MOHAN, J.

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Crl.O.P.No.10148 of 2025

07.04.2025



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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.04.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.O.P.No.10148 of 2025

1.B.Mohanraj
2.R.Sakaravarthi
3.P.Sakthidhasan

...Petitioners/Accused 1, 2 & 5

Vs.

State through
The Inspector of Police,
Thiruchengode Town Police Station,
Namakkal District.

(Crime No.90 of 2025)

...

Respondent

PRAYER: This criminal original petition has been filed under Section 483 of BNSS to enlarge the petitioners on bail in Crime No.90 of 2025 pending investigation on the file of the respondent police.

For Petitioners : Mr.C.Iyyappa Raj

For Respondent : Mr.Leonard Arul Joseph Selvam
Government Advocate (CrI. Side)



ORDER

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This Criminal Original Petition has been filed by the petitioners, who were arrested and remanded to judicial custody on 15.03.2025, seeking bail in Crime No.90 of 2025 registered for the offence under Sections 296(b), 118(1), 351(3) of BNS, 2023.

2.It is the case of the prosecution that due to previous enmity between the petitioners and the defacto complainant's relative, the petitioners had waylaid the defacto complainant's relative, abused him in filthy language, assaulted him with sickle and caused injuries and threatened him of dire consequences. Hence, the case.

3.The learned counsel for the petitioners would submit the petitioners are innocent; that due to previous enmity a false complaint has been given; that the injured has been discharged from the hospital; that the petitioners are in custody from 15.03.2025 and hence, their further custody is not required and sought for bail.

4.Per contra, the learned Government Advocate (Crl. Side) reiterated the prosecution case and submitted that the first petitioner has six previous cases,



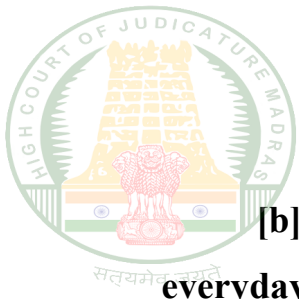
the second petitioner has two previous cases and the third petitioner has one previous case pending against them and they are on bail in those cases and that the injured has been discharged from the hospital.

5. Heard the learned counsel on either side and perused the materials available on record.

6. Considering the nature of allegations, period of incarceration, the fact that the injured has been discharged from the hospital, the petitioners are on bail in the previous cases and since further custody of the petitioners is not required for the purpose of investigation, this Court is inclined to grant bail to the petitioners with certain conditions.

7. Accordingly, the petitioners are ordered to be released on bail on their executing separate bond for a sum of **Rs.15,000/- (Rupees Fifteen Thousand only) each** with **two sureties**, each for a like sum to the satisfaction of the **Judicial Magistrate, Thiruchengode**, and on further conditions that:

[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity;



[b] the petitioners 2 and 3 shall report before the respondent Police, everyday at 10.30 a.m., until further orders and the 1st petitioner shall stay at Salem and report before the Inspector of Police, Salem Town Police Station, everyday at 10.30 a.m., until further orders.

[c] the petitioners shall not abscond either during investigation or trial;

[d] the petitioners shall not tamper with evidence or witness either during investigation or trial;

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioners in accordance with law as if the conditions have been imposed and the petitioners released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in *P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]*;

[f] If the accused thereafter absconds, a fresh FIR can be registered under Section 269 B.N.S.

04.04.2025

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Copy to:

1.The Inspector of Police,
Thiruchengode Town Police Station,
Namakkal District.

2.The Judicial Magistrate, Thiruchengode.



3. Central Prison, Salem.

4. The Public Prosecutor,
High Court, Madras.



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04.04.2025